GOVERNMENT OF INDIA
FINANCE
LOK SABHA

UNSTARRED QUESTION NO:5891
ANSWERED ON:31.08.2001
EXCISE DUTY EVASION
RAMJI MANJHI

Will the Minister of FINANCE be pleased to state:

`Will the Minister of Finance be pleased refer to the answergiven to Unstarred Question No.6200 dated April, 27,2001regarding evasion of excise duty and state:

(a) the action taken/proposed to be taken against the Officer who adjudicated the case and had to be reviewed by Central Board of excise and Customs and to file an appeal in Central excise and Gold Appellate Tribunal; and

(b) the steps taken to get the case expedited in the CEGAT and to get the stay vacated to clear the way to recoveries?`

Answer

MINISTER OF STATE IN THE MINISTRY OF FINANCE (GINGEE N. RAMACHANDRAN)

(a): Adjudication is a quasi-judicial function in which an adjudicator gives independent judgment. Cases are reviewed in terms of the provisions of the Central Excise Act, 1944. Review of an order does not call for action against the adjudicating officer.

(b): The case was heard by the in Customs Exciseand Gold Appellate Tribunal (CEGAT), Mumbai inJanuary, 2001 but orders could not be passed due to retirement of Member (Technical). The Departmental Representative has been requested for taking actions for early hearing.